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DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of:
Wesley Eugene Kendall
Application No. 10/081036
Filed: February 22, 2002
For: **CARD ONE**

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: **DECISION ON PETITION**
: **TO MAKE SPECIAL**
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This is a decision on the Petition To Make Special under MPEP 708.02, XI: Invention for Countering Terrorism, filed May 16, 2003 and copy faxed on May 22, 2003. Petitioner has also submitted a request for fee payment exclusion.

A grantable petition to make an application special under 37 C.F.R. 1.102(d), and in accordance with MPEP 708.02, XI, for an invention which contributes to the countering of terrorism, must include the petition fee under 37 CFR 1.17(i). The petition must also be accompanied by a statement explaining how the invention contributes to countering terrorism. The types of technology for countering terrorism could include, but are not limited to, systems for detecting/identifying explosives, aircraft sensors/security systems, and vehicular barricades/disabling systems.

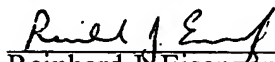
The petition states that it is directly related to the security of the United States of America and that it consists of a system which will secure all sterile areas of our airports, and identify all commercial travelers and also aviation related employees. The petition does not set forth specifically how this would be accomplished. Also, the petition does not include the required \$130.00 fee, nor does it include an authorization to charge a deposit account for the fee.

As set forth in 37 CFR 102(c), the petition could be filed without a fee if the basis for the petition is applicant's age or health or that the invention will materially enhance the quality of the environment or materially contribute to the development or conservation of energy resources. Petitioner does not specifically set forth the comparison of the systems before and after his invention to establish any benefit. Petitioner has not explained how the invention contributes to the restoration of one of the life-sustaining elements, i.e. air, water, and soil to establish enhancement of the quality of the environment. Petitioner also does not qualify under age or health. Therefore, the conditions to file without the required fee have not been satisfied.

Accordingly, the petition is **DENIED**.

Petitioner is given TWO MONTHS from the date of this decision to request reconsideration and supplement the original petition as appropriate.

The application file will be returned to the Technology Center's central files storage area to await action in its regular turn.


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